

**LABOR SERVICES DIVISION[875]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 88.5, the Labor Commissioner hereby amends Chapter 10, “General Industry Safety and Health Rules,” and Chapter 26, “Construction Safety and Health Rules,” Iowa Administrative Code.

The amendments adopt by reference changes to federal occupational safety and health standards. The federal standard changes make corrections and technical amendments to the general industry and construction standards. The federal Occupational Safety and Health Administration determined that these changes were not subject to the procedures for public notice and comment found in federal law because no stakeholder is likely to object and the changes do not impact existing rights or duties.

The changes correct references in the process safety management standard; hazardous waste operations and emergency response standard; permit required confined space standard; sawmill standard; pulp, paper, and paperboard mill standard; bloodborne pathogens standard; and the medical services and first-aid standard. The federal rule-making document removes a records transfer provision concerning professional diving operations and removes incorrect references in the 13 carcinogens standard. The federal rule-making document adds to the standard pertaining to grain handling facilities a reference to a 1985 compliance directive. Other changes concern the poster requirements for the servicing of tires and wheels; how to file reports of employees injured by mechanical power presses; and the correction of typographical errors in the air contaminants standard.

The principal reasons for adoption of these amendments are to implement legislative intent, protect the safety and health of Iowa workers, and make Iowa’s regulations current and consistent with federal regulations. Pursuant to Iowa Code subsection 88.5(1) and 29 CFR 1953.5, Iowa must adopt changes to the federal occupational safety and health standards.

Notice of Intended Action was published in the June 27, 2012, Iowa Administrative Bulletin as **ARC 0175C**. No public comment was received on the proposed amendments. These amendments are identical to those that were published under Notice of Intended Action.

No variance procedures are included in this rule making. Variance procedures are set forth in 875—Chapter 5.

After analysis and review of this rule making, jobs could be impacted. However, these amendments are implementing federally mandated regulations, and the State of Iowa is only implementing the federal regulations. The requirements imposed on Iowa businesses by these regulations do not exceed those imposed by federal law.

These amendments are intended to implement Iowa Code section 88.5 and 29 CFR 1953.5.

These amendments shall become effective on September 26, 2012.

The following amendments are adopted.

ITEM 1. Amend rule **875—10.20(88)** by inserting the following at the end thereof:

76 Fed. Reg. 80738 (December 27, 2011)

ITEM 2. Amend rule **875—26.1(88)** by inserting the following at the end thereof:

76 Fed. Reg. 80738 (December 27, 2011)

[Filed 8/1/12, effective 9/26/12]

[Published 8/22/12]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 8/22/12.